

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY LEO,

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Petitioner,

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Civil Action No. 04-11006-JLT

v.

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COMMONWEALTH OF
MASSACHUSETTS,

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Respondent.

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ORDER

July 28, 2005

TAURO, J.

For the reasons stated in the April 29, 2005 Report and Recommendation [#54], Petitioner has failed to make a substantial showing of a denial of a constitutional right. See 28 U.S.C. § 2253. Accordingly, Petitioner's Petition for Certificate of Appealability [#61] is DENIED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge